

Exhibit "A"

FILED: WESTCHESTER COUNTY CLERK 05/02/2022 11:52 AM

INDEX NO. 60093/2022

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 05/02/2022

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

JESSE SMITH,

Plaintiff(s),

-against-

TARGET DEPARTMENT STORE INC.,

Defendant(s).

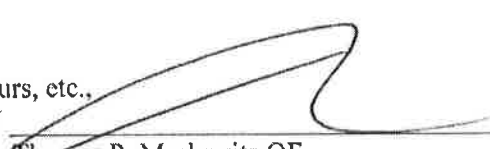
Plaintiff designates Westchester County as
the place of Trial.The basis of the venue is plaintiff's
residence.SUMMONSPlaintiff resides at
14 Mount Joy Place
New Rochelle, NY 10801**To the above named Defendant(s):**

YOU ARE HEREBY SUMMONED to answer the Complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's Attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint. In the event that Article 16 of the CPLR applies, this case falls within an exception to the same.

Dated: New York, New York
September 20, 2021

Yours, etc.,

BY


Mr. Thomas P. Markovits OF
MIRMAN, MARKOVITS & LANDAU, P.C.

Attorney for Plaintiff(s)

Office and Post Office Address

291 Broadway - 6th Floor

New York, New York 10007

Tel. No.: (212) 227-4000

File No.: 300732

NO SERVICE BY FAX ACCEPTED

Defendant(s)' Address(es):
TARGET DEPARTMENT STORE INC.
9 City Place
White Plains, NY 10601

PLEASE FORWARD TO YOUR INSURANCE COMPANY

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

JESSE SMITH,

Plaintiff(s),

COMPLAINT

-against-

TARGET DEPARTMENT STORE INC.,

Defendant(s).

Plaintiffs, by their attorney, **MIRMAN, MARKOVITS & LANDAU, P.C.**, for their
complaint against the Defendants, allege as follows:

AS AND FOR A FIRST CAUSE OF ACTION
ON BEHALF OF JESSE SMITH

1. Upon information and belief, at all the dates and times hereinafter mentioned, defendant Target Department Store Inc., owned premises known as 9 City Place, County of Westchester, State of New York.

2. Upon information and belief, at all the dates and times hereinafter mentioned, defendant Target Department Store Inc. operated premises known as 9 City Place, County of Westchester, State of New York.

3. Upon information and belief, at all the dates and times hereinafter mentioned, the Defendant Target Department Store Inc. controlled premises known as 9 City Place, County of Westchester, State of New York.

4. Upon information and belief, at all the dates and times hereinafter mentioned, the Defendant Target Department Store Inc. managed premises known as 9 City Place, County of Westchester, State of New York.

5. Upon information and belief, at all the dates and times hereinafter mentioned, the Defendant Target Department Store Inc. maintained premises known as 9 City Place, County of Westchester, State of New York.

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6. Upon information and belief, at all the dates and times hereinafter mentioned, the Plaintiff was lawfully upon and at the premises known as 9 City Place, County of Westchester, State of New York.

7. On or about July 11, 2021, at the premises known as 9 City Place, County of Westchester, State of New York, Plaintiff Jesse Smith was caused to be injured.

8. That the aforesaid injuries to plaintiff Jesse Smith occurred solely and wholly through the negligence of the defendants, their agents, servants and employees, in the ownership, leasing, operation, maintenance, control and management of their respective premises and more particularly premises known as 9 City Place, County of Westchester, State of New York, although said defendants knew or should have known of the dangers and hazards there existing and nonetheless failed to remedy same.

9. As a result of the aforesaid, the Plaintiff was rendered sick, sore, lame and disabled, was caused to suffer great pain, was and is internally and externally injured, will continue to endure great pain and suffering, and has sustained and will continue to sustain special damages, all to Plaintiff's damage.

10. That as a result of the foregoing, the defendant acted recklessly and wantonly and without any regard to the safety of Plaintiff.

WHEREFORE, Plaintiff(s) demand judgment against the defendants TARGET DEPARTMENT STORE INC. on the First Cause of Action, Second Cause of Action and on the Third Cause of Action together with interest, costs and disbursements of this action. In the event that Article 16 of the CPLR applies, this case falls within an exception to the same.

Dated: New York, New York
September 20, 2021

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Yours, etc.,


MIRMAN, MARKOVITS & LANDAU, P.C.

Attorney for Plaintiff(s)

Office and Post Office Address

291 Broadway - 6th Floor

New York, New York 10007

Tel. No.: (212) 227-4000

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SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF WESTCHESTER

JESSE SMITH,

Plaintiff(s),

-against-

TARGET DEPARTMENT STORE INC.,

Defendant(s).

SUMMONS & COMPLAINT

MIRMAN, MARKOVITS & LANDAU, P.C.

291 Broadway - 6th Floor
New York, New York 10007
Tel. No. (212) 22-4000

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

JESSE SMITH

X

Plaintiff(s),

Index No.:

-against-

TARGET DEPARTMENT STORE INC.

Defendant(s), X

NOTICE OF ELECTRONIC FILING
(Mandatory Case)
(Uniform Rule § 202.5-bb)

You have received this Notice because:

1) The Plaintiff(s), whose name is listed above, has filed this case using the New York State Courts E-filing system ("NYSCEF"), and

2) You are a Defendant (a party) in this case.

• **If you are represented by an attorney:**

Give this Notice to your attorney. (Attorneys: see "Information for Attorneys" pg. 2).

• **If you are not represented by an attorney:**

You will be served with all documents in paper and you must serve and file your documents in paper, unless you choose to participate in e-filing.

If you choose to participate in e-filing, you must have access to a computer and a scanner or other device to convert documents into electronic format, a connection to the internet, and an e-mail address to receive service of documents.

The benefits of participating in e-filing include:

- serving and filing your documents electronically
- free access to view and print your e-filed documents
- limiting your number of trips to the courthouse
- paying any court fees on-line (credit card needed)

To register for e-filing or for more information about how e-filing works:

- visit: www.nycourts.gov/efile-unrepresented or
- contact the Clerk's Office or Help Center at the court where the case was filed. Court contact information can be found at www.nycourts.gov

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To find legal information to help you represent yourself visit www.nycourthelp.gov

**Information for Attorneys
(E-filing is Mandatory for Attorneys)**

An attorney representing a party who is served with this notice must either:

- 1) immediately record his or her representation within the e-filed matter on the NYSCEF site www.nycourts.gov/efile; or
- 2) file the Notice of Opt-Out form with the clerk of the court where this action is pending and serve on all parties. Exemptions from mandatory e-filing are limited to attorneys who certify in good faith that they lack the computer hardware and/or scanner and/or internet connection or that they lack (along with all employees subject to their direction) the knowledge to operate such equipment. [Section 202.5-bb(e)]

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: efile@nycourts.gov).

Dated:

Mr. Thomas P. Markovits
Name

MIRMAN, MARKOVITS & LANDAU
Firm Name

291 BROADWAY 6TH FL
Address

NEW YORK, NY 10007

212-227-4000
Phone

E-Mail

To: DEFENDANT(S)

6/6/18

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